

Application No. 09/869,884
Response to 10/07/2004 final Action

Attorney's Docket No. 0119-067

REMARKS

Claims 1-6 are pending.

The withdrawal of the objections to the drawings is gratefully acknowledged.

In the final Office Action, claims 1-6 were again rejected under 35 U.S.C.

§ 102(b) for anticipation by International Publication No. WO 97/45814 by Vazvan ("Vazvan").

Applicant's claim 1 recites, among other things, "broadcasting from the local service, over the wireless communication channel, service notification messages". As pointed out in the Amendment filed in response to the previous Action, the wireless communication channel is a local channel, which is to say that the wireless channel is direct from the local service to the mobile terminal - no base stations are involved. The claim states that this direct channel is used for broadcast messages. Vazvan does not disclose such a channel used in such ways.

The final Action asserts, on page 6, that a "connectionless way" in Vazvan is comparable to the claimed wireless channel and that "product details" in Vazvan are comparable to the claimed service notification messages. Such assertions are incorrect. Only Vazvan's payment method can be done directly between a local service and a terminal; Vazvan does not disclose broadcasting messages on the local channel. Vazvan's payment messages are clearly not service notification messages and are clearly not broadcast. Moreover, Vazvan's Fig. 2, for example, shows that authentication is done between a payer's terminal and the network and host computer, NOT with the local service.

Applicant's claim 1 also recites "conducting a mobile terminal identification process between . . . [the] terminal and the local service over the wireless communication channel". As pointed out in the previous Amendment, the mobile terminal identification process is carried out locally in a sub-region of the region over which the service notification messages are broadcast (see sub-area 10 in FIG. 2). Through the identification process, a mobile terminal identifies the correct local service, e.g., the user is at a vending machine on the user's floor, not at another machine. This is not payment; it is identification, and it is conducted over the (direct) wireless channel.

The final Action also asserts on page 6 that Vazvan's conduct of a secure transaction is comparable to the claimed identification process conducted over the

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wireless channel, but this is also incorrect. Although Vazvan's payment method can be done directly between a local service and a terminal, Vazvan's secured transaction is a payment transaction, not an identification process as claimed. And again, Vazvan's authentication is done between a payer's terminal and the network and host computer, NOT with the local service as claimed.

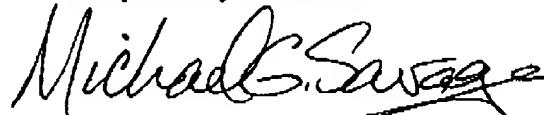
Since Vazvan fails to disclose every feature of claim 1 for at least the above reasons, claim 1 cannot be anticipated by Vazvan. Similar differences exist with respect to claim 4. Accordingly, it is respectfully requested that the rejections of claims 1 and 4 be reconsidered and withdrawn.

In view of the differences between Vazvan and independent claims 1 and 4, it is not necessary to detail here the additional differences between Vazvan and the dependent claims 2, 3, 5, and 6. It is also respectfully requested that the rejections of the dependent claims be reconsidered and withdrawn.

Upon withdrawal of the rejections, this application will be in condition for allowance. An early Notice of same is respectfully solicited. If the Examiner has any questions, the undersigned attorney may be telephoned at the number given below.

The Office's attention is drawn to a Power of Attorney to Prosecute Applications and a Change of Correspondence Address that accompany this Response.

Respectfully submitted,



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